

ADMINISTRATION ARE DECLARED TO BE PUBLIC AND GOVERNMENTAL FUNCTIONS, EXERCISED FOR A PUBLIC PURPOSE, AND MATTERS OF PUBLIC NECESSITY. ALL LANDS AND OTHER PROPERTY AND PRIVILEGES ACQUIRED AND USED BY OR ON BEHALF OF THE STATE IN THE MANNER AND FOR THE PURPOSES ENUMERATED IN THIS ARTICLE SHALL AND ARE DECLARED TO BE ACQUIRED AND USED FOR PUBLIC AND GOVERNMENTAL PURPOSES AND AS A MATTER OF PUBLIC NECESSITY.

TITLE 3. LEGAL STATUS OF AIR NAVIGATION.

3-301.

SOVEREIGNTY IN SPACE ABOVE THE LANDS AND WATERS OF THIS STATE IS DECLARED TO REST IN THE STATE, EXCEPT WHERE GRANTED TO AND ASSUMED BY THE UNITED STATES PURSUANT TO A CONSTITUTIONAL GRANT FROM THE PEOPLE OF THIS STATE.

3-302.

THE OWNERSHIP OF THE SPACE ABOVE THE LANDS AND WATERS OF THIS STATE IS DECLARED TO BE VESTED IN THE SEVERAL OWNERS OF THE SURFACE BENEATH, SUBJECT TO THE RIGHT OF FLIGHT DESCRIBED IN § 3-303 AND SUBJECT TO THE RIGHT OF ZONING SET FORTH IN TITLE 8 OF THIS ARTICLE.

3-303.

FLIGHT IN AIRCRAFT OVER THE LANDS AND WATERS OF THIS STATE IS LAWFUL, UNLESS AT SUCH A LOW ALTITUDE AS TO INTERFERE WITH THE EXISTING USE TO WHICH THE LAND OR WATER, OR THE SPACE OVER THE LAND OR WATER IS PUT BY THE OWNER, OR UNLESS SO CONDUCTED AS TO BE IMMINENTLY DANGEROUS TO PERSONS OR PROPERTY LAWFULLY ON THE LAND OR WATER BENEATH. THE LANDING OF AN AIRCRAFT ON THE LANDS OR WATERS OF ANOTHER, WITHOUT HIS CONSENT, IS UNLAWFUL, EXCEPT IN THE CASE OF A FORCED LANDING. FOR DAMAGES CAUSED BY A FORCED LANDING, HOWEVER, THE OWNER OR LESSEE OF THE AIRCRAFT OF THE AIRMAN SHALL BE LIABLE, AS PROVIDED IN § 3-304.

3-304.

THE OWNER OF EVERY AIRCRAFT WHICH IS OPERATED OVER THE LANDS OR WATERS OF THIS STATE IS PRIMA FACIE LIABLE FOR INJURIES TO PERSONS OR PROPERTY ON THE LAND OR WATER BENEATH, CAUSED BY THE ASCENT, DESCENT OR FLIGHT OF THE AIRCRAFT, OR THE DROPPING OR FALLING OF ANY OBJECT THEREFROM, UNLESS THE INJURY IS CAUSED IN WHOLE OR IN PART BY THE NEGLIGENCE OF THE PERSON INJURED, OR OF THE OWNER OR BAILEE OF THE PROPERTY INJURED, OR UNLESS AT THE TIME OF THE INJURY THE AIRCRAFT IS BEING USED WITHOUT THE CONSENT, EXPRESS OR IMPLIED, OF THE OWNER. IF THE AIRCRAFT IS LEASED AT THE TIME OF INJURY TO PERSON OR